

REMARKS

Applicant's attorney appreciates the courtesy of the Examiner in the interview which occurred on June 9, 2004. In the interview, U.S. patent No. 4,165,183 was discussed. More particularly, it was discussed that prior art interferometers include steering mirrors, a beam splitter, a delay element and a corner cube reflector all in the first plane. It was also discussed that the corner cube reflector inherently reflects light out of the first plane and then back into the first plane. For this reason, Applicant's agreed to cancel claims 1 and 2.

Certain amendments to claim 3 were discussed to more clearly distinguish claim 3 from the teachings of U.S. Patent No. 4,165,183. In this regard, Applicants agreed to amend claim 3 to include the beam splitter and the scanning mirror in the plane definition; and to define the delay element to consist of an odd number of mirrors numbering at least three. Applicant's have amended claim 3 in accordance with the Examiner's suggestions.

As discussed in the interview claim 3, as amended, differs from U.S. patent No. 4,165,183 in that it includes the "scanning mirror having a sustainable oscillating movement, the scanning mirror having two opposing planar reflecting sides" in combination with the other elements recited in claim 3 including the tilt compensator and delay element. That is, even assuming that the corner cube reflector described in U.S. Patent No. 4,165,183 is comparable to the tilt compensator and delay element recited in claim 3, as amended, the interferometer described in U.S. Patent No. 4,165,183 does not teach or suggest the scanning mirror in combination with the corner cube reflector.

In light of the foregoing, it is Applicant's belief that claim 3, and thus each of the claims that depend therefrom are patentable in view of U.S. Patent No. 4,165,183. Therefore, reconsideration and withdrawal of the rejection of claims 3-14 is respectfully requested.

As discussed in the interview, Applicant has added new claim 15. Claim 15 includes the substance of claim 2, but depends from independent claim 3.

New claim 16 has been added to describe in more detail one preferred embodiment of the present invention.

Summary

The foregoing is intended to be a complete response to the Office Action dated March 1, 2004. Reconsideration and withdrawal of the objections and rejections is respectfully requested. Should the Examiner have any questions regarding the contents of this response or any other matter, Applicant's attorney would welcome a telephonic interview with the Examiner.

Respectfully submitted,



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